



NSW Ombudsman

Our Reference: C/2002/5114

4 December 2002

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Dear Rabbi Feldman

Re: Notification involving AVL (student teacher) and REDACTED
REDACTED

Thank you for your notification that we received on 14 August 2002 and the further information provided by Bill Conway on 23 October 2002.

I have assessed the information provided and have determined that no further action is required at this time. I note that Yeshiva College (the college) treated the allegation against AVL as a serious matter, immediately removed him from contact with children at the college and informed the Department of Community Services (DoCS) of the allegation. However, some other issues were identified in relation to the way in which the college handled the investigation in relation to this matter. I have listed these issues below.

1. Interviews of children.

I noted Kelvin Simon's advice to the school that, before interviewing a child regarding alleged abuse, it should carefully consider whether the interview might interfere with any later DoCS or Police investigation of the allegation. If you are unsure about whether to proceed with an interview, it is better to consult with DoCS or Police first.

2. Alleged abuse of REDACTED

Where there are allegations that an employee abused more than one child, please send us a separate Ombudsman Notification form for each allegation in the future. This ensures we have all relevant details regarding each matter.

3. Documentation

Please provide us with all documentation of any interviews you have conducted and decisions you have made during an investigation when you send any future notifications to us. This helps us to gain a better understanding of the investigation process and your findings. For example, in this case, records of any interviews you or the Principal conducted with REDACTED's parents would have been useful. A short report setting out the evidence collected, your findings and any action taken can also be helpful.

It is probably also worth noting that, while we require an initial Notification within 30 days of you becoming aware of an allegation, we do not necessarily expect that you

will have completed your investigation within 30 days. You can provide any further documentation regarding an ongoing investigation to us at a later stage.

Our help sheets regarding Agency Investigations, Investigation Planning and Record Keeping are attached for further information.

Please note that we may contact you in the future to review your agency's procedures for handling and responding to child abuse allegations, or child abuse convictions involving employees; pursuant to our responsibilities under section 25B of the *Ombudsman Act 1974*.

Thank you for bringing this matter to the attention of the Ombudsman.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Sally Haydon', written in a cursive style.

Sally Haydon
Investigation Officer
For the Ombudsman